

Minutes of City Council

June 15, 2021

Regular Session

The Council of the City of Lewisburg met in regular session on Tuesday, June 15, 2021 at 7:30 p.m. at 942 Washington Street West, Lewisburg, WV 24901 and via Zoom Teleconference call because of the Covid-19 Pandemic.

PRESENT: Mayor Beverly White, City Manager Misty Hill, Council members, Heather Blake, Josh Edwards, Sarah Elkins, Mark Etten, and Arron Seams; Recorder Shannon Beatty

Treasurer Susan Honaker, Fire Chief Joseph Thomas, Planning & Zoning Officer Marsha Cunningham, Lt. Jonathon Hughes, Director of Public Works Tony Legg,

ABSENT: Chief of Police Teubert

VISITORS: Erin Jones with Suddenlink/Altice; Tina Alvey with the Beckley Register Herald, Sarah Richardson with the Mountain Messenger, Frank Johnson, Gailyn Markum with Loot Press (Via Zoom), Donna Ward with Region IV (via Zoom) and Valerie Pritt (via Zoom) and DeEtta Hunter.

CALL TO ORDER:

Mayor White called the meeting to order at 7:30 p.m.

VISITORS REPORT:

No reports were given.

APPROVAL OF MINUTES:

May 18, 2021

Councilmember Elkins made a motion to approve the May 18, 2021 Regular Session minutes. Councilmember Etten seconded the motion.

Councilmember Etten made a motion to amend the May 18, 2021 minutes with a correction. Councilmember Seams seconded the motion. With all in favor the motion carried.

ORDINANCES:

Ordinance 291

Recorder Beatty read the following ordinance by title for 2nd reading:

“AN ORDINANCE TO AMEND SECTION 137.07(c), OF ARTICLE 137, HUMAN RIGHTS COMMISSION, OF THE ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF LEWISBURG, WEST VIRGINIA, TO CLARIFY THAT RACE DISCRIMINATION INCLUDES DISCRIMINATION BASED ON CERTAIN HAIR TEXTURES AND STYLES.”

Mayor White opened the floor for comment during a public hearing at 7:34 p.m. Hearing no comments from the public she closed the public hearing.

Councilmember Edwards made a motion to approve Ordinance 291. Councilmember Seams seconded the motion. With all in favor the motion carried.

Ordinance 292

Recorder Beatty read the following ordinance by title for 1st reading:

“AN ORDINANCE OF THE CITY OF LEWISBURG, WEST VIRGINIA GRANTING A FRANCHISE TO CEBRIDGE ACQUISITIONS, LLC FOR THE CONSTRUCTION AND OPERATION OF A CABLE SYSTEM”

Lewisburg business owner DeEtta Hunter approached City Council with her concerns regarding breaks in service, poor customer service, and long phone call waiting times and increasing sporadic customer bill charges. Hunter urged City Council to use the renewal of the franchise agreement to make Suddenlink give better service.

Erin Jones, the Director of Government Affairs with Suddenlink/Altice stated there had been a “spike” in usage because more people were working from home because of Covid-19. Suddenlink had to increase its capacity. She said that Suddenlink has spent millions of dollars to improve customer service with a new phone system and new programs that streamline bundled services and offer special internet rates for low-income households.

Councilmember Edwards asked Jones what would happen if the City did not renew the agreement. Jones answered that Suddenlink could continue to offer services as long as they were in negotiations with the City until a new agreement was approved. She noted that citizens would

lose service if the agreement was not renewed. Councilmember Etten asked Jones to address Hunter's concerns with breaks in service. Jones stated she would have to look into those concerns. More discussion of issues ensued.

Councilmember Seams made a motion to approve Ordinance 292 as presented. Councilmember Edwards seconded the motion.

Councilmember Edwards stated that members of City Council have shared their concerns with Suddenlink. He said he feels like Suddenlink offers a better quality service than Frontier noting that he has used both services. He said that in terms of providing high speed internet most customers in WV would be happy to have the high speed internet that Suddenlink provides. He stated it is not like there are other companies "clamoring" to provide a competing service. He said he feels that Suddenlink is the best option out there and that City Council owes it to the citizens to make sure internet service is offered. Councilmember Etten stated that the agreement was non-exclusive meaning another company could offer internet services. He stated the City did not have a backup provider if Suddenlink decided not to provide service if the agreement was not signed. He stated the City could get assurances from Jones before the 2nd reading of the ordinance. Councilmember Blake asked if the City could ask for an agreement for a term shorter than five years. Etten stated he did not feel a one year term would work because the City might not potentially be able to secure another provider in a year's time.

With five (5) in favor and one (1) opposed (Blake) the motion carried.

Small Cities Planning Grant application signatures

Donna Ward, Project Assistant with Region IV Planning stated the City was seeking a Small Cities Planning Grant to fund a storm water study. The grant is capped at \$250,000 with no matching funds required. Ward indicated there was a July 6 deadline for applying for the grant. City Manager Misty Hill stated the City did not currently have a comprehensive plan for storm water and that the grant would help with the creation of a new storm water comprehensive plan. Ward stated she would need a report from the City engineering firm Chapman Technical Group regarding storm water and authorization from City Council in order to proceed with the application. Councilmember Seams asked Ward if the counties eligible for this grant were the same counties that had been affected by the flood in 2016. Ward answered yes. She indicated that Greenbrier County was eligible to receive portions of two grants tied to the 2016 flood, with Greenbrier County receiving 50% of a four county group's funding. She also indicated that there was a high probability that this grant would get funded with Greenbrier County's participation in a 12 county pool for the funds. City Manager Misty stated the State Auditor's office said that Lewisburg would need to have a storm water study completed in order to be able to use The American Recue Plan funds for storm water projects.

Councilmember Etten made a motion to authorize Mayor White to sign the Small Cities Planning Grant application. Councilmember Seams seconded the motion. With all in favor the motion carried.

PROCLAMATIONS:

Elder Abuse Awareness

Recorder Beatty read a portion of a proclamation encouraging residents to recognize and celebrate Elder Abuse Awareness Day in Lewisburg.

COMMUNICATIONS FROM THE CITY MANAGER:

Workers Compensation renewal

City Manager Hill stated the provider has addressed the financial issues that were brought up at the June Finance Committee meeting regarding the workers compensation renewal.

Councilmember Etten made a motion to approve the Workers Compensation renewal in the amount of \$41,977. Councilmember Blake seconded the motion. With all in favor the motion carried.

Public Works Director

Councilmember Edwards made a motion to retroactively appoint Tony Legg as the Director of Public Works with a start date of May 27, 2021. Councilmember Seams seconded the motion. With all in favor the motion carried.

Historic Landmark Commission, approval of bid for guidelines

Councilmember Elkins made a motion to accept the bid from the Mills Group to update the Historic Landmark Commission guidelines. Councilmember Seams seconded the motion. With all in favor the motion carried.

Monthly Report

City Manager Misty Hill reported on the following items of interest:

- City Manager Hill has worked with the Director of Public Works on various projects.
- The City Manager has overseen the renovation of the rental unit on the first floor of City Hall that J.L Massie Insurance occupies. She noted they found a live wire laying on the floor under the carpet when they pulled up the old carpet.
- Hill has attended conference calls with the Region IV Planning and Development Council.
- Attended the Historic Landmark meeting and got the plan for the City Hall façade renovation approved.

COMMUNICATIONS FROM CITY COUNCIL MEMBERS:

Councilmember Mark Etten stated it had been his honor to serve as a City Council member for the last 17 years.

COMMUNICATIONS FROM BOARDS AND COMMISSIONS:

Planning Commission Report

Zoning Officer Marsha Cunningham reported on the following events of the June 3, 2021 Planning Commission meeting:

- The Planning Commission continued reviewing the signs portion of the Zoning Ordinance.
- Cunningham stated the Planning Commission will hold its next meeting on July 1, 2021 at 5:30 p.m.

COMMUNICATIONS FROM THE POLICE DEPARTMENT:

Mayor White stated that a copy of Chief Teubert's report had been included in the information packet and asked if City Councilmembers had any questions for Lt. Jonathon Hughes.

COMMUNICATIONS FROM THE FIRE DEPARTMENT:

Mayor White stated that a copy of Chief Thomas's report had been included in the information packet and asked if City Councilmembers had any questions for the Chief.

COMMUNICATIONS FROM COUNCIL COMMITTEES:

Finance Committee Report

Finance Committee Chair Mark Etten reported on the following events of the June 8, 2021 Finance Committee meeting:

- The Finance Committee recommended approval of a change in scope of the new Public Works Water Distribution metal building for a total of \$194,201 (noting that \$69,035 of this amount was previously approved and paid to All Construction.)

Councilmember Etten made a motion to accept the recommendation of the Finance Committee for a change of scope for the new Public Works Water Distribution metal building for a total of \$194,201 (noting that \$69,035 of this amount was previously approved and a portion was paid to All Construction.) Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Task Order #35 (Stonehouse Rd. property site evaluation for Public Works) with Chapman Technical Group in an amount not to exceed \$40,000.

Councilmember Etten made a motion to approve Task Order #35 (Stonehouse Rd. property site evaluation for Public Works) with Chapman Technical Group in an amount not to exceed \$40,000. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Water Treatment Plant maintenance and repair list in an amount not to exceed \$231,000.

Councilmember Etten made a motion to approve the Water Treatment Plant maintenance and repair list in an amount not to exceed \$231,000. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of a \$.50 an hour wage increase for Jason Hanna and John McMillion after completion and receipt of training certifications and a \$2.00 an hour wage increase for Charlie Cooper for obtaining his Class II water plant operator license.

Councilmember Etten made a motion to approve a \$.50 an hour wage increase for Jason Hanna and John McMillion after completion and receipt of training certifications. Councilmember Seams seconded the motion. With all in favor the motion carried.

Councilmember Etten made a motion to approve a \$2.00 an hour wage increase for Charlie Cooper for obtaining his Class II water plant operator license. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Phase II, Pay Application 3 for the Route 219 North sidewalk project in an amount not to exceed \$71,780.90.

Councilmember Etten made a motion to approve Phase II, Pay Application 3 for the Route 219 North sidewalk project in an amount not to exceed \$71,780.90. Councilmember Elkins seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of Phase III, Pay Application 5 for the Route 219 North Sidewalk project in an amount not to exceed \$2,861.01.

Councilmember Etten made a motion to approve Phase III, Pay Application 5 for the Route 219 North Sidewalk project in an amount not to exceed \$2,861.01. Councilmember Seams seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval of the Hudnall Wildlife Services (skunk) contract renewal for a term of one year effective July 1, 2021.

Councilmember Etten made a motion to approve Hudnall Wildlife Services (skunk) contract renewal for a term of one year effective July 1, 2021. Councilmember Blake seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval the Wildlife Control Specialties (deer) contract for a term of one year effective July 1, 2021.

Councilmember Etten made a motion to approve the Wildlife Control Specialties (deer) contract for a term of one year effective July 1, 2021. Councilmember Edwards seconded the motion. With all in favor the motion carried.

- The Finance Committee recommended approval to increase the Mayor salary to the amount of \$10,000 per year to be effective on July 1, 2023 with the salary being divided fifty (50)% from the General fund and fifty (50)% from the Water fund.

Councilmember Etten made a motion to increase the Mayor salary to the amount of \$10,000 per year to be effective on July 1, 2023 with the salary being divided fifty (50)% from the General fund and fifty (50)% from the Water fund. Councilmember Elkins seconded the motion. With six (6) in favor and one (1) abstention (White) the motion carried.

- The Finance Committee to approve to increase the salary of City Council members elected in the 2023 election to \$2,500 per year to be effective July 1, 2023 and for Councilmember elected in 2021 election to \$2,500 to be effective on July 1, 2021.

Councilmember Etten made a motion to increase the salary of City Council members elected in the 2023 election to \$2,500 per year to be effective July 1, 2023 and for Councilmember elected in 2021 election to \$2,500 to be effective on July 1, 2021. Councilmember Blake seconded the motion. With six (6) in favor and one (1) abstention (Seams) the motion carried.

- The Finance Committee tabled consideration of the health insurance funding until the June 15, 2021 City Council meeting.

Councilmember Etten stated he recommends to fund the City employee health insurance plan at 65% from now until the renewal of the plan in March 2022 as recommended by Bill Dyer.

Councilmember Seams made a motion to fund the City Employee health insurance plan at 65% until the policy renewal in March of 2022. Councilmember Elkins seconded the motion. With all in favor the motion carried.

REPORT FROM THE PUBLIC WORKS DEPARTMENT:

Director of Public Works Tony Legg reported on the following items of interest:

- The section of Lee Street in front of the WV School of Osteopathic Medicine has been paved.
- Crews are completing one (1) inch meter reading tests.
- The Boil Water Advisory that was issued on June 15, 2021 because of turbidity should be lifted in a few days.

COMMUNICATIONS FROM THE MAYOR:

*Appointments to Historic Landmark Commission, Parks Commission
Library Board & Building Commission*

Mayor White offered the name of Skip Deegans for reappointment to the Historic Landmark Commission for a three (3) year term ending on June 30, 2024.

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Councilmember Blake made a motion to reappoint Skip Deegans to the Historic Landmark Commission for a three (3) year term ending on June 30, 2024. Councilmember Etten seconded the motion. With all in favor the motion carried.

Mayor White offered the name of Joshua Edwards for appointment to the Parks Commission for a six year term ending on June 30, 2027.

Councilmember Etten made a motion to appoint Joshua Edwards to the Parks Commission for a six year term ending on June 30, 2027. Councilmember Seams seconded the motion. With five (5) in favor and one (1) abstention (Edwards) the motion carried.

Mayor White offered the name of Rich Ford for reappointment to a five (5) year term on the Library Board for a term ending on June 30, 2026.

Councilmember Edwards made a motion to reappoint Rich Ford to a five (5) year term on the Library Board for a term ending on June 30, 2026. Councilmember Blake seconded the motion. With all in favor the motion carried.

Mayor White offered the names of David Hammond, Paula Janiga and Katie Eads for appointment to a five (5) year term on the Building Commission ending on June 30, 2026.

Councilmember Edwards made a motion to appoint David Hammond, Paula Janiga and Katie Eads for appointment to a five (5) year term on the Building Commission ending on June 30, 2026. Councilmember Elkins seconded the motion. With all in favor the motion carried.

Recorder and Council recognition

Mayor Beverly White presented Recorder Shannon Beatty, Councilmember Heather Blake, Councilmember Joshua Edwards and Councilmember Mark Etten each with a plaque thanking them for their years of service as an elected official. The elected Recorder position will now become an appointed City Clerk position.

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ADJOURNMENT:

Councilmember Seams made a motion to adjourn the meeting at 9:42 p.m. Councilmember Edwards seconded the motion. With all in favor the motion carried.